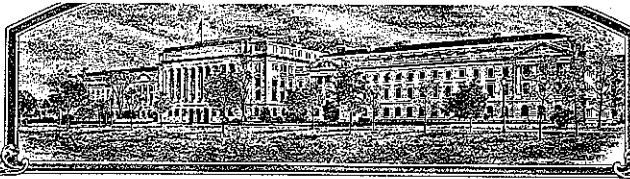


No.

9900257



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

D&H Technology Holding Company, LLC.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSE, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84

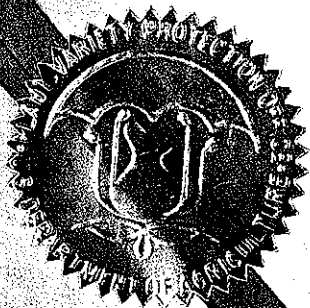
U.S.C. 242, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'SG 759 RR'

In Testimony Whereof, I have herunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this ninth day of June, in the year two thousand and four.

Attest:



Blmzel

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

Endreman

Secretary of Agriculture

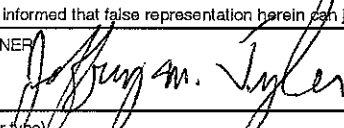
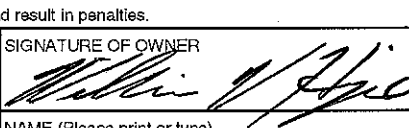
U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY DIVISION - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER D&PL Technology Holding Company, LLC.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME SGX 75 RR		3. VARIETY NAME SG 759 RR	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) PO Box 157 100 Main Street Scott, Mississippi 38772 USA		5. TELEPHONE (include area code) (662) 742-4141		PVPO NUMBER 9900257	
		6. FAX (include area code) (662) 742-3182		FILING DATE 14 April, 1999	
7. IF THE OWNER IS NOT A "PERSON" GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Limited Liability Company		8. IF INCORPORATED, GIVE STATE OF INCORPORATION Delaware		9. DATE OF INCORPORATION February 29, 1996	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Delta and Pine Land Company Kelly Casavechia P.O. Box 157 Scott, MS 38772				FILING AND EXAMINATION FEE: \$ 2450.00	
				DATE 14 April, 1999 CERTIFICATION FEE: \$ 432.00 DATE 5/4/2004	
11. TELEPHONE (include area code) (662) 742-4141		12. FAX (include area code) (662) 742-3182		13. E-MAIL kelly.h.casavechia@deltaandpine.com	
14. CROP KIND (Common Name) Soybean					
15. GENUS AND SPECIES NAME OF CROP Glycine Max		16. FAMILY NAME (Botanical) LEGUMINOSAE		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse). a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of the Variety d. <input checked="" type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Voucher Sample (2,500 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) g. <input checked="" type="checkbox"/> Filing and Examination Fee (\$2,450), made payable to "Treasurer of the United States" (Mail to the Plant Variety Protection Office)			19. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 20 and 21 below) <input checked="" type="checkbox"/> NO (If "no", go to item 22)		
22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCE FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO - As of date of original application - 4/5/99 IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)			20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input type="checkbox"/> NO		
			21. IF "YES" TO ITEM 20, WHICH CLASSES OF PRODUCTION BEYOND BREEDER SEED? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED		
23. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNEE REFERENCE NUMBER. (Please use space indicated on reverse.)					
24. The owners declare that a viable sample of basic seed of the variety will be furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is(are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 			SIGNATURE OF OWNER 		
NAME (Please print or type) Jeffrey M. Tyler			NAME (Please print or type) William V. Hugie		
CAPACITY OR TITLE Soybean Breeder		DATE 02-04-2004		CAPACITY OR TITLE Vice President/Director of Research	
				DATE 02-05-04	

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E; (3) for a seed reproduced variety at least 2,500 viable untreated seeds, for a hybrid variety at least 2,500 untreated seeds of each line necessary to reproduce the variety, or for tuber reproduced varieties verification that a viable (*in the sense that it will reproduce an entire plant*) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,705 (\$320 filing fee and \$2,385 examination fee), payable to "Treasurer of the United States" (*See Section 97.6 of the Regulations and Rules of Practice* .) Partial applications will be held in the PVPO for not more than 90 days, then returned to the applicant as unfilled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initiated and dated. DO NOT use masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasurer of the United States" in the amount of \$320 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

Plant Variety Protection Office
Telephone: (301) 504-5518
FAX: (301) 504-5291
Homepage: <http://www.ams.usda.gov/science/pvpo/pvp.htm>

ITEM

- 18a. Give: (1) the genealogy, including public and commercial varieites, lines, or clones used, and the breeding method
(2) the details of subsequent stages of selection and multiplication;
(3) evidence of uniformity and stability; and
(4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 18b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) Identify these varieties and state all differences objectively;
(2) attach statistical data for characters expressed numerically and demonstrate that these are clear differences; and
(3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 18c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 18d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 18e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
19. If "Yes" is specified (*seed of this variety be sold by variety name only, as a class of certified seed*), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (*See Regulations and Rules of Practice, Secion 97.103*).
22. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
23. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

21. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

22. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

23. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

ROUNDUP READY[®] cotton. Soybean (Per applicant's authorization 2/10/2004 BT).

These seeds are covered under U.S. Patents 5,633,435; 5,352,605; 5,530,196; 5,188,642; 4,940,835; 5,717,084; 5,728,925; and 5,804,425.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or any modification of owner's name is specified in Section 97.175 of the regulations. (*See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.*)

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority. For example, for agricultural and vegetable crops, contact: Seed Branch, AMS, USDA, Room 213, Building 306, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8089. <http://www.ams.usda.gov/lsg/seed/lsg-sd.htm>

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0581-0055). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U. S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, sex, religion, age, disability, political beliefs, sexual orientation, or marital or family status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

S&T-470 (04-01) designed by the Plant Variety Protection Office with WordPerfect 6.0a. Replaces STD-470 (02-98) which is obsolete.

EXHIBIT A

~~D&P Technology Holding Company, LLC's~~~~SUREGROW SEED'S APPLICATION FOR SG 759 RR~~~~(BT: 2/10/04)~~ORIGIN AND BREEDING HISTORY

SPRING-
SUMMER 1992 Original cross and first backcross made between DPX 2384, an experimental breeding line and Roundup resistant experimental line 40-3-2

FALL 1992 Buckshot 723 crossed with Roundup resistant F₁ plants from 2384 BC₁F₁

WINTER 1993 Cook crossed to Roundup resistant F₁ plants from Buckshot 723 x 2384 BC₁F₁

SUMMER 1993 Cross 93262 made- H5088 crossed to Roundup resistant F₁ plants from Cook* (Buckshot 723 x 2384 BC₁F₁)

WINTER 1993-94 Roundup tolerant F₁ plants advanced to F₂ under lights from cross 93262 under lights in Costa Rica and F₂ seed was bulked

SUMMER-
FALL 1994 Roundup resistant F₂ advanced to F₄ by modified single seed descent in Costa Rica

WINTER 1994-95 Roundup resistant F₄ plants space planted. Individual plant selections harvested and threshed separately in Costa Rica.

SUMMER 1995 F₄ Roundup resistant plant rows from cross 93262 were grown in 7 foot rows in Scott, MS. Row 95-02838 was selected, composited and determined to be stable and ^{uniform (2/30/2004 BT)} breeding true for characteristics described in "Exhibit C" of this application. No variants were known or observed at this time and up to the present (3 years).

SUMMER 1996 Line 95-02838 yield tested at both Hartsville and Summerton, SC.

FALL 1996-

WINTER 1997 Border rows were harvested and sent to Costa Rica for an increase. About 5 units of breeder seed were produced.

SUMMER 1997 95-02838 yield tested in 6 Deltapine Seed tests and increased to about 200 bushels of Foundation seed.

1998 Designated as SGX 75 RR. Further increased and evaluated in 7 State Agricultural Experiment Trials in the Southeastern US. Seed increased to about 4000 units of commercial seed.

1999 Released as SG 759 RR.

(~~BT: 2/10/04~~) Selections made based on resistance of plants to glyphosate herbicide. (per applicant's confirmation and authorization)).

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EXHIBIT B

~~DGPL Technology Holding Company, LLC's~~
~~SUREGROW SEED'S APPLICATION FOR SG 759 RR~~
~~(2/10/2004 ST)~~

NOVELTY STATEMENT

To our knowledge, SG 759 RR most resembles DPX 8S74 RR. Differences include but are not restricted to the following:

1. SG 759 RR has white flowers whereas DPX 8S74 RR has purple flowers.
2. SG 759 RR is resistant to frogeye leaf spot whereas DPX 8S74 RR is susceptible.

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, MEAT, GRAIN & SEED DIVISION
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MARYLAND 20705

EXHIBIT C
(Soybean)

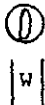
OBJECTIVE DESCRIPTION OF VARIETY
SOYBEAN (*Glycine max* L.)

NAME OF APPLICANT(S) SureGrow Seed, Inc. D&P Technology Holding Company, LLC (BT: 2/10/04)	TEMPORARY DESIGNATION SGX 75 RR	VARIETY NAME SG 759 RR
ADDRESS (Street and No., or R.F.D. No., City, State, and Zip Code) 7265 Highway 9 South P.O. Box 157 Centre, AL 35960 100 Main Street (BT: 2/10/2004) Scott, MS 38772		FOR OFFICIAL USE ONLY PVPO NUMBER Q900257

Choose the appropriate response which characterizes the variety in the features described below. When the number of significant digits in your answer is fewer than the number of boxes provided, place a zero in the first box when number is 9 or less (e.g., 0 9).

1. SEED SHAPE:

2



1 = Spherical (L/W, L/T, and T/W ratios = < 1.2)
3 = Elongate (L/T ratio > 1.2; T/W = < 1.2)

2 = Spherical Flattened (L/W ratio > 1.2; L/T ratio = < 1.2)
4 = Elongate Flattened (L/T ratio > 1.2; T/W > 1.2)

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2. SEED COAT COLOR: (Mature Seed)

1

1 = Yellow 2 = Green 3 = Brown 4 = Black 5 = Other (Specify) _____

3. SEED COAT LUSTER: (Mature Hand Shelled Seed)

1

1 = Dull ('Corsoy 79'; 'Braxton') 2 = Shiny ('Nebsoy'; 'Gasoy 17')

4. SEED SIZE: (Mature Seed)

1 3

Grams per 100 seeds

5. HILUM COLOR: (Mature Seed)

5

1 = Buff 2 = Yellow 3 = Brown 4 = Gray 5 = Imperfect Black 6 = Black 7 = Other (Specify) _____

6. COTYLEDON COLOR: (Mature Seed)

1

1 = Yellow 2 = Green

7. SEED PROTEIN PEROXIDASE ACTIVITY:

3

1 = Low 2 = High

8. SEED PROTEIN ELECTROPHORETIC BAND:

1

1 = Type A (SP1^a) 2 = Type B (SP1^b)

9. HYPOCOTYL COLOR:

1

1 = Green only ('Evans'; 'Davis') 2 = Green with bronze band below cotyledons ('Woodworth'; 'Tracy')
3 = Light Purple below cotyledons ('Beeson'; 'Pickett 71')
4 = Dark Purple extending to unifoliate leaves ('Hodgson'; 'Coker Hampton 266A')

10. LEAFLET SHAPE:

3

1 = Lanceolate 2 = Oval 3 = Ovate 4 = Other (Specify) _____

11. LEAFLET SIZE:

☒ 21 = Small ('Amsoy 71'; 'A5312')
3 = Large ('Crawford'; 'Tracy')

2 = Medium ('Corsoy 79'; 'Gasoy 17')

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12. LEAF COLOR:

☒ 31 = Light Green ('Weber'; 'York')
3 = Dark Green ('Gnome'; 'Tracy')

2 = Medium Green ('Corsoy 79'; 'Braxton')

13. FLOWER COLOR:

☒ 1

1 = White

2 = Purple

3 = White with purple throat

14. POD COLOR:

☒ 2

1 = Tan

2 = Brown

3 = Black

15. PLANT PUBESCENCE COLOR:

☒ 1

1 = Gray

2 = Brown (Tawny)

16. PLANT TYPES:

☒ 21 = Slender ('Essex'; 'Amsoy 71')
3 = Bushy ('Gnome'; 'Govan')

2 = Intermediate ('Amcor'; 'Braxton')

17. PLANT HABIT:

☒ 1

1 = Determinate ('Gnome'; 'Braxton')

2 = Semi-Determinate ('Will')

3 = Indeterminate ('Nebsoy'; 'Improved Pelican')

18. MATURITY GROUP:

☒ 1 ☒ 0

1 = 000

2 = 00

3 = 0

4 = I

5 = II

6 = III

7 = IV

8 = V

9 = VI

10 = VII

11 = VIII

12 = IX

13 = X

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

BACTERIAL DISEASES:

☒ 2Bacterial Pustule (*Xanthomonas phaseoli* var. *sojensis*)☒ 0Bacterial Blight (*Pseudomonas glycinea*)☒ 2Wildfire (*Pseudomonas tabaci*)

FUNGAL DISEASES:

☒ 0Brown Spot (*Septoria glycines*)Frogeye Leaf Spot (*Cercospora sojina*)☐

Race 1

☐

Race 2

☐

Race 3

☐

Race 4

☐

Race 5

☒ 2

Other (Specify)

Races Unknown

☒ 2Target Spot (*Corynespora cassiicola*)☒ 0Downy Mildew (*Peronospora trifoliorum* var. *manshurica*)☒ 0Powdery Mildew (*Microsphaera diffusa*)☒ 0Brown Stem Rot (*Cephalosporium gregatum*)☒ 2Stem Canker (*Diaporthe phaseolorum* var. *caulivora*)

19. DISEASE REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant) (Continued)

FUNGAL DISEASES: (Continued)

☐ 0 Pod and Stem Blight (*Diaporthe phaseolorum* var. *sojae*)

☐ 0 Purple Seed Stain (*Cercospora kikuchii*)

☐ 0 Rhizoctonia Root Rot (*Rhizoctonia solani*)

Phytophthora Rot (*Phytophthora megasperma* var. *sojae*)

☐ 0 Race 1 ☐ Race 2 ☐ Race 3 ☐ Race 4 ☐ Race 5 ☐ Race 6 ☐ Race 7

☐ Race 8 ☐ Race 9 ☐ Other (Specify) _____

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VIRAL DISEASES:

☐ Bud Blight (Tobacco Ringspot Virus)

☐ Yellow Mosaic (Bean Yellow Mosaic Virus)

☐ Cowpea Mosaic (Cowpea Chlorotic Virus)

☐ Pod Mottle (Bean Pod Mottle Virus)

☒ 2 Seed Mottle (Soybean Mosaic Virus)

NEMATODE DISEASES:

Soybean Cyst Nematode (*Heterodera glycines*)

☐ Race 1 ☐ Race 2 ☒ 1 Race 3 ☐ Race 4 ☒ 1 Other (Specify) Race 14

☐ 0 Lance Nematode (*Hoplolaimus Colombus*)

☒ 1 Southern Root Knot Nematode (*Meloidogyne incognita*)

☐ 0 Northern Root Knot Nematode (*Meloidogyne Hapla*)

☒ 1 Peanut Root Knot Nematode (*Meloidogyne arenaria*)

☐ 0 Reniform Nematode (*Rotylenchulus reniformis*)

☐ OTHER DISEASE NOT ON FORM (Specify): _____

20. PHYSIOLOGICAL RESPONSES: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

☐ 0 Iron Chlorosis on Calcareous Soil

☐ Other (Specify) _____

21. INSECT REACTION: (Enter 0 = Not Tested; 1 = Susceptible; 2 = Resistant)

☐ 0 Mexican Bean Beetle (*Epilachna varivestis*)

☒ 2 Potato Leaf Hopper (*Empoasca fabae*)

☐ Other (Specify) _____

22. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED.

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Plant Shape	DPX 8S74 RR	Seed Coat Luster	DPX 8S74 RR
Leaf Shape	DPX 8S74 RR	Seed Size	DPX 8S74 RR
Leaf Color	DPX 8S74 RR	Seed Shape	DPX 8S74 RR
Leaf Size	DPX 8S74 RR	Seedling Pigmentation	DP 5806 RR

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23. GIVE DATA FOR SUBMITTED AND SIMILAR STANDARD VARIETY: Paired Comparison Data

VARIETY	NO. OF DAYS MATURITY	PLANT LODGING SCORE	CM PLANT HEIGHT	LEAFLET SIZE		SEED CONTENT		SEED SIZE G/100 SEEDS	NO. SEEDS/POD
				CM Width	CM Length	% Protein	% Oil		
SG 759 RR Submitted	167	1.3	69					14	
DPX 8S74 RR Name of Similar Variety	166	1.5	76					14	

PUBLICATIONS USEFUL AS REFERENCE AIDS FOR COMPLETING THIS FORM:

1. Caldwell, B.E., ed. 1973. Soybeans: Improvement, Production, and Uses. Amer. Soc. Agron. Monograph No. 16.
2. Buttery, B.R. and R.I. Buzzell. 1968. Peroxidase activity in seeds of soybean varieties. Crop Sci., 8: 722-725.
3. Hymowitz, T. 1973. Electrophoretic analysis of SBTI-A₂ in the USDA soybean germplasm collection. Crop Sci., 13: 420-421.
4. Payne, R.C. and L.F. Morris. 1976. Differentiation of soybean cultivars by seedling pigmentation patterns. J. Seed Technol. 1: 1-19.

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EXHIBIT D

D&P2 Technology Holding Company, LLC's
~~SUREGROW SEED'S~~ APPLICATION FOR SG 759 RR
(*BT: 2/10/2004*)

ADDITIONAL DESCRIPTION

SG 759 RR is an F₄ Roundup tolerant selection composited in the F₅ generation from the cross H5088 with the F₁ of COOK*[Buckshot 723 x (2384(2) x 40-3-2)]. It is a mid-group VII maturity. It is resistant to stem canker and frogeye leaf spot. It is susceptible to nematodes.

SG 759 RR plants are medium in height with white flowers, grey pubescence and brown pods at maturity. Seeds are dull yellow with buff hila averaging 3300 seed per pound.

Imperfect-black (BT: 2/10/2004 per applicant's authorization).

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE**EXHIBIT E**
STATEMENT OF THE BASIS OF OWNERSHIP

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

1. NAME OF APPLICANT(S) D&PL TECHNOLOGY HOLDING COMPANY, LLC.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER SGX 75 RR	3. VARIETY NAME SG 759 RR
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) P.O. BOX 157 SCOTT, MISSISSIPPI 38772	5. TELEPHONE (Include area code) 662.742.4141	6. FAX (Include area code) 662.742.3182
7. PVPO NUMBER 9900257		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.

<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
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10. Is the applicant the original owner? ☒ YES ☐ NO If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?

<input type="checkbox"/> YES	<input type="checkbox"/> NO	If no, give name of country
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b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?

<input type="checkbox"/> YES	<input type="checkbox"/> NO	If no, give name of country
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11. Additional explanation on ownership (If needed, use the reverse for extra space):

SG 759 RR contains a proprietary gene, patented by the Monsanto Company and licensed to D&PL, which encodes a protein which provides tolerance to glyphosate herbicide in soybean cultivars.**PLEASE NOTE:**

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

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